IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 1479 OF 2007

Dayashankar R. Singh ..Petitioner
Vs.
State of Maharashtra and anr. ..Respondents

Mr. M.P. Vashi i/by M/s. M.P. Vashi and Associates
for petitioner.
Mr. P.A. Pol, APP for State.

CORAM: B.H. MARLAPALLE, J.
Date : August 10, 2007.

P.C.:

1. Heard Mr. Vashi the learned counsel for the petitioner who is a trade unionist and has an invitation to attend an International Congress scheduled between 21st to 23rd August, 2007 in Brazil. By the letter dated 12/4/2007 the Regional Passport Officer under the Ministry of External Affairs, Government of India rejected the petitioner's application for issuance of the passport for suppression of correct information and more particularly the pendency of case in the criminal court. However, the said communication indicates that the petitioner could avail restricted passport facilities under GSR Notification No.570(E) dated 25/8/1993 if the court permitted him to travel abroad.

2. The petitioner, therefore, submitted an application which came to be registered as Misc.

Application No. 235 of 2007 before the learned Additional Chief Metropolitan Magistrate and the same was rejected on 16/7/2007. The petitioner's approach to the Sessions Court was also unsuccessful and Criminal Revision Application No. 211 of 2007 was dismissed on 31/7/2007.

3. Having heard Mr. Vashi the learned counsel for the petitioner and the learned APP, I am satisfied that the petitioner should be allowed to leave India for a limited period of one week so as to facilitate him to attend the intending International Congress through the National Association of Street Vendors of India.

4. Hence, the petition is partly allowed and the petitioner is allowed to travel abroad between the period from 19th August, 2007 to 25th August, 2007 (both days included).

5. Certified copy to be issued on priority basis.

(B.H. Marlapalle,J.)